IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANTHONY RAY THOMPSON,

Plaintiff,

Case No. 3:09-cv-138-AJS-KAP

UNITED STATES OF AMERICA,

JUDGE KIM GIBSON and MAGISTRATE :

JUDGE CATHY BISSOON,

Defendants

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C.§ 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on June 1, 2009, docket no. 2, recommending that the matter be dismissed for failure to state a claim.

Plaintiff was notified that, pursuant to 28 U.S.C.§ 636(b)(1), he had ten days to file written objections to the Report and Recommendation. Plaintiff was also advised that to proceed he must authorize payment of the filing fee under the Prison Litigation Reform Act. Plaintiff has neither filed objections nor returned his Authorization, and the time to do so has expired.

After review of the record of this matter and the Report and Recommendation, the following order is entered:

AND NOW, this $\frac{241}{3}$ day of June, 2009, it is

ORDERED that the complaint is dismissed for failure to prosecute. The Clerk shall mark this matter closed.

BY THE COURT:

ARTHUR J. SCHWAB,

UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Anthony Ray Thompson GQ-6082 S.C.I. Albion 10745 Route #18 Albion, PA 16475-0001